

PATENT

Attorney's Docket No. 976-33 PCT/US

**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one)

Original  
 Supplemental  
 Design

National Stage PCT  
 Divisional  
 Continuation  
 Continuation-in-Part (CIP)

**INVENTORSHIP IDENTIFICATION**

NOTE: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PROTEIN NMB0928 AND USE THEREOF IN PHARMACEUTICAL FORMULATIONS**

the specification of which: (complete (a), (b) or (c))

(a)  is attached hereto.

(b)  was filed on May 25, 2006 as  
 Serial No. 10/580,888 or  
 Express Mail No. \_\_\_\_\_, as Serial No. not yet known  
and was amended on \_\_\_\_\_. (If applicable)

(c)  was described and claimed in PCT International Application No. PCT/  
filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_. (If any)

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above, and that the filing of said specification, if heretofore filed, was authorized by me.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

**CLAIM OF PRIORITY OF EARLIER FOREIGN APPLICATION(S) UNDER 35 U.S.C. §119(a)-(d)**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

*(List prior foreign/PCT application(s) filed within 12 months (6 months for design) prior to this U.S. application.)*

**NOTE:** Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

| COUNTRY<br>(orPCT) | APPLICATION NO. | DATE OF FILING<br>(Day/Month/Year) | PRIORITY CLAIMED<br>UNDER 35 USC §119   |                             |
|--------------------|-----------------|------------------------------------|-----------------------------------------|-----------------------------|
| Cuba               | 2003/0286       | 3/12/2003                          | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
|                    |                 |                                    | <input type="checkbox"/> YES            | <input type="checkbox"/> NO |

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

*(List prior U.S. provisional applications.)*

| PROVISIONAL APPLICATION NO. | FILING DATE<br>(Day/Month/Year) |
|-----------------------------|---------------------------------|
|                             |                                 |
|                             |                                 |
|                             |                                 |

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

*(List prior U.S. applications or PCT international applications designating the U.S. for benefit under 35 U.S.C. §120.)*

| U.S. APPLICATIONS |                                      | STATUS (Check One)       |                          |                          |
|-------------------|--------------------------------------|--------------------------|--------------------------|--------------------------|
| U.S. SERIAL NO.   | U.S. FILING DATE<br>(Day/Month/Year) | Patented                 | Pending                  | Abandoned                |
| 0 /               |                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 0 /               |                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| PCT APPLICATIONS DESIGNATING THE U.S. |                                     |                                      | STATUS (Check One)       |                                     |                          |
|---------------------------------------|-------------------------------------|--------------------------------------|--------------------------|-------------------------------------|--------------------------|
| PCT APPLN. NO.                        | PCT FILING DATE<br>(Day/Month/Year) | U.S. SERIAL NOS<br>ASSIGNED (if any) | Patented                 | Pending                             | Abandoned                |
| PCT/<br>CU2004/000016                 | 2/12/2004                           | 10/580,888                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| PCT/                                  |                                     |                                      | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

**35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS**

| PRIORITY<br>APPLICATION NO. | PRIORITY<br>COUNTRY | FILING DATE<br>(Day/Month/Year) | ISSUE DATE<br>(Day/Month/Year) |
|-----------------------------|---------------------|---------------------------------|--------------------------------|
| CU2003/0286                 | Cuba                | 3/12/2003                       |                                |

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) at Customer Number 23869 to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith.

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**PLEASE SEND CORRESPONDENCE TO:**

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Syosset, NY 11791

**PLEASE DIRECT TELEPHONE CALLS TO:**

Edna I. Gergel, Ph.D.  
(516) 822-3550

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**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

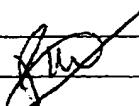
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Full Name of Sole or First Inventor: Rolando Pajon Feyt

Country of Citizenship: Cuba

Residence Address: Calle 150 #24312 entre 245 y 243, Bauta, La Habana 32400, Cuba

Post Office Address: same as above

Date: 20.06.2006 Inventor's signature X 

Full Name of Second Joint Inventor: Gerardo Enrique Guillen Nieto

Country of Citizenship: Cuba

Residence Address: Avenida 31 #18207 Apt. 34 entre 182 y 184, Playa Ciudad de la Habana  
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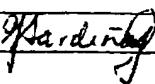
Date: 23.06.2006 Inventor's signature X 

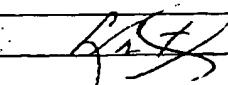
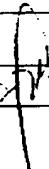
Full Name of Third Joint Inventor: Gretel Sardinas Garcia

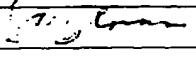
Country of Citizenship: Cuba

Residence Address: Calle Jorge #18 entre Espadero y Freyre D'Andrade Rpto. Sevillano, 10 de  
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Date: 20.06.2006 Inventor's signature X 

|                                      |                                                                                        |                      |                                                                                     |
|--------------------------------------|----------------------------------------------------------------------------------------|----------------------|-------------------------------------------------------------------------------------|
| Full Name of Fourth Joint Inventor:  | Lazaro Hiram Betancourt Nunez                                                          |                      |                                                                                     |
| Country of Citizenship:              | Cuba                                                                                   |                      |                                                                                     |
| Residence Address:                   | SP 22 Apartamento 52 Micro X, Alamar, Habana del Este, Ciudad de la Habana 12500, Cuba |                      |                                                                                     |
| Post Office Address:                 | same as above                                                                          |                      |                                                                                     |
| Date:                                | <u>20. 06. 2006</u>                                                                    | Inventor's signature |   |
| Full Name of Fifth Joint Inventor:   | Lila Rosa Castellanos Serra                                                            |                      |                                                                                     |
| Country of Citizenship:              | Cuba                                                                                   |                      |                                                                                     |
| Residence Address:                   | Kholy # 51 entre 28 y 30 Plaza, Ciudad Habana 11300, Cuba                              |                      |                                                                                     |
| Post Office Address:                 | same as above                                                                          |                      |                                                                                     |
| Date:                                | <u>23. 06. 2006</u>                                                                    | Inventor's signature |    |
| Full Name of Sixth Joint Inventor:   | Yasser Perera Negrin                                                                   |                      |                                                                                     |
| Country of Citizenship:              | Cuba                                                                                   |                      |                                                                                     |
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| Date:                                | <u>23. 06. 2006</u>                                                                    | Inventor's signature |  |
| Full Name of Seventh Joint Inventor: | Darién García Diaz                                                                     |                      |                                                                                     |
| Country of Citizenship:              | Cuba                                                                                   |                      |                                                                                     |
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| Post Office Address:                 | same as above                                                                          |                      |                                                                                     |
| Date:                                | <u>23. 06. 2006</u>                                                                    | Inventor's signature |  |
| Full Name of Eighth Joint Inventor:  | Olivia Niebla Pérez                                                                    |                      |                                                                                     |
| Country of Citizenship:              | Cuba                                                                                   |                      |                                                                                     |
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| Post Office Address:                 | same as above                                                                          |                      |                                                                                     |
| Date:                                | <u>20. 06. 2006</u>                                                                    | Inventor's signature |  |

|                                    |                                                                                                     |
|------------------------------------|-----------------------------------------------------------------------------------------------------|
| Full Name of Ninth Joint Inventor: | Evelin Caballero Menéndez                                                                           |
| Country of Citizenship:            | Cuba                                                                                                |
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| Post Office Address:               | same as above                                                                                       |
| Date:                              | 20.06.2006                                                                                          |
| Inventor's signature               |                    |
| Full Name of Tenth Joint Inventor: | Sonia González Blanco                                                                               |
| Country of Citizenship:            | Cuba                                                                                                |
| Residence Address:                 | Calle 184 #3112 Apto 42 entre 31 y 33-A, Cubanacan, Playa, Ciudad Habana 12100, Cuba                |
| Post Office Address:               | same as above                                                                                       |
| Date:                              | 22.06.2006                                                                                          |
| Inventor's signature               |                   |

NOTE: All above spaces identifying inventors must be completed or deleted before any inventor executes this application